

FORM PTO-1449 (Rev. 7-80)		U.S. Dept. of Commerce Patent and Trademark Office		Atty. Docket No. 106.48		Appl. No. 09/412,404	
LIST OF PRIOR ART CITED BY APPLICANT (Use several sheets if necessary)				Applicant: Kaplan, Joshua T.			
				Filing Date: October 5, 1999			
U.S. PATENT DOCUMENTS							
Examiner Initials	Group	Document Number	Date	Name	Class	Subclass	Filing Date
<i>GW</i>	A	4,789,863	12/6/88	Bush	340	825.350	
<i>GW</i>	A	5,793,980	8/11/98	Glaser et al.	395	200.61	11/30/94
<i>GW</i>	A	3,990,710	11/9/76	Hughes	274	1R	
<i>GW</i>	A	5,084,768	1/28/92	Stern et al.	358	342	
<i>GW</i>	A	4,414,467	11/8/83	Gould et al.	235	381	
<i>GW</i>	A	4,780,599	10/25/88	Baus	235	383	
<i>GW</i>	A	4,866,661	9/12/89	de Prins	364	900	
FOREIGN PATENT DOCUMENTS							
	Group	Document Number	Filing Date	Country	Class	Subclass	Translation Yes No
<i>GW</i>	C	EP0649121 A2		EPO	G07F	17/16	X
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
<i>GW</i>	A	Campbell, G.M. et al., "DIG-Music: An On Demand Digital Musical Selection System Utilizing CATV Facilities," IEEE Transactions on Consumer Elec., August 1982.					
<i>GW</i>	A	Salomon, Gitta, "Designing Casual-Use Hypertext: The CHI '89 InfoBooth," ACM SIGCHI 1990 Conf. Proceedings," April 1990.					
<i>GW</i>	A	O'Connell, Laura, "Mixing and Matching Musical Tastes," ComputerWorld, July 23, 1991.					
<i>GW</i>	A	Daly, James, "Music by Modem," IUMA Press Clippings, Sept. 1991.					
<i>GW</i>	A	Loeb, Shosana, "Architecting Personalized Delivery of Multimedia Info," Commun. of the ACM, Dec. 1992.					
<i>GW</i>	A	Bajak, Frank (Assoc. Press), "Wiring the Planet Part 2," San Francisco Examiner, May 31, 1993.					
<i>GW</i>	A	BNA, "Music Publishers File Class-Action Against CompuServe for Infringement," BNA Patent, Trademark & Copyright Daily, Dec. 27, 1993.					
<i>GW</i>	A	Browne, Steve, "The Internet via Mosaic and World-Wide Web," Ziff-Davis Press, 1994.					
<i>GW</i>	A	Lieb, Kristin, "On-Line Archive Offers Music," IUMA Press Clippings, Feb. 26, 1994.					
<i>GW</i>	A	Pride, Dominic, "UK Bands Attack Convention Thru Internet; Cerebus Allows Unsigned Acts Exposure on System," Billboard, Aug. 6, 1994.					
<i>GW</i>	A	Rosen, Nick, "Internet Gives a Break to Budding Pop Stars," Sunday Times, Aug. 7, 1994.					
<i>GW</i>	A	Dougherty et al., "The Mosaic Handbook for the Macintosh," O'Reilly & Assoc., Oct. 1994.					
<i>GW</i>	A	Lichtman, Irv (Ed.), "The Billboard Bulletin," Billboard Publications, Dec. 3, 1994.					
<i>GW</i>	A	Gillen, Marilyn, "BPI-YEAR-ONLINE; Music Labels Plug In, Turn On and Go Online," Billboard, Dec. 16, 1994.					
<i>GW</i>	A	Greenman, Ben, "Netmusic," Michael Wolff & Co., 1995.					
<i>GW</i>	A	Rawsthorn, Alice, "Media Futures: Musical Money-spinners," Financial Times, Jan. 2, 1995.					
<i>GW</i>	A	"Internet Shopping Network Says 500 Users Purchase Online Daily," Elec. Mktplace Report, Simba Info Inc., 1995. <i>4/11/95 GW</i>					
<i>GW</i>	A	"Internet Shopping Network (ISN) Launches Interactive Home Music Shopping Service with Intouch Group, Inc. for Internet Users Worldwide....," Business Wire 1995. <i>4/11/95 GW</i>					
Examiner <i>GW</i>				Date Considered <i>1-25-05</i>			
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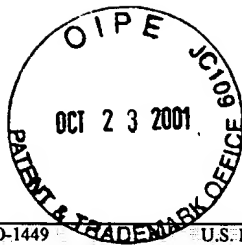
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<i>[initials]</i>	B	5,708,780	1/13/98	Levergood et al.	395	200.12	6/7/95
<i>[initials]</i>	B	5,583,763	12/10/96	Atcheson et al.	364	551.01	9/9/93
<i>[initials]</i>	B	5,712,979	1/27/98	Graber et al.	395	200.11	9/20/95
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<i>[initials]</i>	C	EP 0 690 627 A	06/20/95	EP	H04N	7/173	X
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
<i>[initials]</i>	A	Armstrong, David, "Internet Surfers Can Play it Again: New System Offers Audio On Demand," San Francisco Examiner, April 12, 1995.					
<i>[initials]</i>	A	Lieb, Kristin, "Underground Music Archive Comes of Age," Billboard, June 10, 1995.					
<i>[initials]</i>	A	"ASCAP Issues Performance License to Online Music Previews Co., MP Music Previews," ASCAP Press Release, Aug. 4, 1995.					
<i>[initials]</i>	A	"Now Open! Music Blvd at www.Musicblvd.com - The Internet's Largest 24-Hr Multimedia Music Store," Business Wire, Aug. 16, 1995.					
<i>[initials]</i>	A	"Is Rockin' Nominated as One of Five 'Cool Sites of the Year'," The Hollywood Reporter, Copyright 1995 BPI Commun., Inc.					
<i>[initials]</i>	A	"Music Boulevard on the Web," Newsbyte News Network, Aug. 2., 1995.					
<i>[initials]</i>	A	"Virgin Records Launches Interactive Area on AOL," PR Newswire, Aug. 26, 1995.					
<i>[initials]</i>	A	"Virgin Records on AOL," Newsbyte News Network, Aug. 29, 1995.					
<i>[initials]</i>	A	"Telebase launches WWW multimedia music service; Music Boulevard," Information Today, Sept. 1995.					
<i>[initials]</i>	A	McMurray, Sandy, "Giving Retail a Run for Your Money," Tornot Sun, Oct. 25, 1995.					
<i>[initials]</i>	A	Ginsberg, Steve, "Music Firm Hopes Internet Can Help it Strike Better Note," San Francisco Business Times, Oct. 27, 1995.					
<i>[initials]</i>	A	Whitmore, Sam, "Marketspace; Innovative Schemes for Business Online...," PC Week, Oct. 30, 1995 by Ziff-Davis Pub. Co.					
<i>[initials]</i>	A	"Keep Your Eye On IUMA," Entrepreneurial Edge, 1996 IUMA Press Clippings.					
<i>[initials]</i>	A	Music Store Reviews (11 pgs, PA00155-165), Unknown Author(s), Various Dates in 1996.					
<i>[initials]</i>	B	"RealAudio Server Administrator' Guide" Rel. 1.0.1, Progressive Networks, July/October 1995.					
<i>[initials]</i>	B	Maloney, Janice, "MNI Rolls out MusicNet: Develops navigation system for new media services," January 31, 1994.					
<i>[initials]</i>	B	McCullaugh, Jim, "MusicNet lets consumers' fingers do the walking," Billboard, Vol. 105, No. 42, October 16, 1993.					
<i>[initials]</i>	B	Bolton, Sari, "Rolling Stone phone service puts music on the line," Billboard, Vol 106, No. 30, July 23, 1994.					
<i>[initials]</i>	B	December, John et al., "The World Wide Web Unleashed," SAMS Publishing, 1994.					
<i>[initials]</i>	B	"Entertainment Marketing in Cyberspace: Flavor of the Month or Long-Term Strategy?" Entertainment Marketing Letter, August 1, 1995.					
Examiner <i>[Signature]</i>				Date Considered 1-25-05			
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<i>EW</i>	C	5,734,719	3/31/98	Tsevdos et al.	380	5	12/10/96
<i>EW</i>	C	3,964,025	06/15/76	Oosterhouse	340	162	11/22/74
<i>EW</i>	C	4,590,516	05/20/86	Abraham	358	86	06/01/82
<i>EW</i>	C	4,996,642	02/26/91	Hey	364	419	09/25/89
<i>EW</i>	C	5,084,768	01/28/93	Stern et al.	358	342	09/29/89
<i>EW</i>	C	5,132,992	07/21/92	Yurt et al.	375	122	01/07/91
<i>EW</i>	C	5,191,611	03/02/93	Lang	380	25	01/18/91
<i>EW</i>	C	5,418,713	05/23/95	Allen	364	403	05/25/95
<i>EW</i>	C	5,442,389	08/15/95	Blahut et al.	348	7	12/28/92
<i>EW</i>	C	5,446,919	8/15/95	Wilkins	455	62	10/09/91
<i>EW</i>	C	5,555,441	09/10/96	Haddad	455	42	08/02/94
<i>EW</i>	C	5,557,541	09/17/96	Schulhof et al.	364	514	07/21/94
<i>EW</i>	C	5,590,282	12/31/96	Clynes	395	200.02	07/11/94
<i>EW</i>	C	5,592,511	1/29/96	Schoen et al.	375	220	1/29/96
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<i>EW</i>	C	WO96/41285	12/19/96	PCT	G06F	17/30	X
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
<i>EW</i>	B	"CD-ROM Drive rewriteable", Electronic Buyers' News, August 7, 1995.					
<i>EW</i>	B	"Driving Magnetic Technology to New Heights: Disk Makers deliver on speed, performance and capacity improvements," VARBusiness, Issue 11, March 1, 1995.					
<i>EW</i>	B	"News in Brief," Electronic MarketPlace Report, April 18, 1995.					
<i>EW</i>	B	Frook, John Evan, "RealAudio pumps up beta sites," Interactive Age, June 19, 1995.					
<i>EW</i>	B	"Everyone else is doing it-so why don't we?" Music Week, May 20, 1995.					
<i>EW</i>	B	"Netscape Announces Add-on Product Suite for Popular Netscape Navigator Software," Netscape Comm. Corp., October 25 1995.					
<i>EW</i>	B	"VocalTech adds to Ventana retail bundle, launches RealAudio competitor," Interactive Age Daily, September 25, 1995.					
<i>EW</i>	B	"One-to-one marketing on the World Wide Web," Interactive Age, January 16, 1995.					
<i>EW</i>	B	Entertaindom.com, program code from web site (?), 47 pages, Author unknown, date unknown (submitted [note Bates numbers E0000001-E0000047] by Entertaindom as their "Initial Disclosure of Prior Art" in the Intouch lawsuit referenced above).					
<i>EW</i>	B	Documents representative of eShop Technolgy (Bates Nos. PA00823-927) produced by Defendants in the litigation (out of approximately 12,000 pages tototal).					
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<i>an</i>	C	5,617,565	04/01/97	Augenbraun et al.	395	604	11/29/94
<i>an</i>	C	5,636,276	06/03/97	Brugger	380	4	04/18/95
<i>an</i>	C	5,640,193	06/17/97	Wellner	348	7	08/15/94
<i>an</i>	C	5,659,742	08/19/97	Beattie et al.	395	615	09/15/95
<i>an</i>	C	5,691,964	11/25/97	Niederlein et al.	369	30	12/20/93
<i>an</i>	C	5,710,884	01/20/98	Dedrick	395	200	03/29/95
<i>an</i>	C	5,717,923	02/10/98	Dedrick	395	613	11/03/94
<i>an</i>	C	5,721,827	02/24/98	Logan et al.	395	200.47	10/02/96
<i>an</i>	C	5,790,423	08/04/98	Lau et al.	364	514	06/14/95
<i>an</i>	C	5,805,804	09/08/98	Laursen et al.	395	200.02	03/12/97
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<i>an</i>	C	GB2218081A	4/15/88	UK Patent Appln.	G07F	17/00	X
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
<i>an</i>	C	"Intel's CablePort Roster Growing," Newsbytes, November 22, 1994.					
<i>an</i>	C	Swett, Clint, "A Plan to Sell Songs in Cyberspace," Sacramento Bee, November 30, 1994.					
<i>an</i>	C	"eShop Announces Partnerships," Business Wire, July 13, 1995.					
<i>an</i>	C	"eShop Brings Dynamic Retailing to the Internet," Business Wire, July 13, 1995.					
<i>an</i>	C	"eShop Brings Its Interactive Shopping Technology to the Internet," Electronic Marketplace Report, July 18, 1995.					
<i>an</i>	C	"eShop Names First Partners for Online Retailing Service," Information and Interactive Services Report, July 28, 1995.					
<i>an</i>	C	"Total Retailing on the 'Net,'" Dot.com Magazine, August 1995.					
<i>an</i>	C	Boisseau, Charles, "Shop on the Web with Smartware," Houston Chronicle, August 27, 1995.					
<i>an</i>	C	"Screen shots of the esShop browser, the eShop diskettes and diskette envelope.					
<i>an</i>	C	Intouch Group, Inc., Certificate of Registration for Copyright Reg. No. Txu 749-360 for "Computer Program," July 8, 1996.					
<i>an</i>	C	Klemets, Anders, "The Design and Implementation of a Media on Demand System for WWW," Department of Teleinformatics, Royal Institute of Technology, Sweden.					
<i>an</i>	C	Pitkow, James et al., "WebViz: A Tool for WWW Access Log Analysis," Visualization and Usability Center, College of Computing, Georgia Institute of Technology, Atlanta, GA.					
<i>an</i>	C	Shardanand, Upendra et al., "Social Information Filtering: Algorithms for Automating 'Word of Mouth,'" MIT Media-Lab, Cambridge, MA					
<i>an</i>	C	Patterson, David A. et al., "A Case of Redundant Arrays of Inexpensive Disks (RAID)," Computer Science Division, Department of Electrical Engineering & Computer Sciences, University of California, Berkeley, CA 1988.					
<i>an</i>	C	Arons, Barry et al., "The VOX Audio Server," Olivetti Research Center, CA, 1989.					
<i>an</i>	C	"Geffen Tries On-line Retailing," United Press International, November 22, 1994.					
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hu	C	4,703,465	10/27/87	Parker	369	30	
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hu	C	Beach, Patrick, "Tunes on Infobahn," The Des Moines Register, Inc., December 22, 1994.					
hu	C	Gillen, Marilyn A., "OnLine Retail Sees Co-Existing Niche," Billboard, March 18, 1995.					
hu	C	Kristol, David M., "Proposed HTTP State-Info Mechanism," AT&T Bell Laboratories, March 22, 1995.					
hu	C	"Netscape Places Server Software Products on the Internet for Free Evaluation," Netscape Press Release, home.netscape.com, May 31, 1995					
hu	C	Richardson, Robert, "Virtual Value Add; Three Web Sites That Provide Value to the Internet," Information Access Company, June 1995.					
hu	C	Mathews, Jason, "Techniques to Maintain Information Across Web Pages," www.deja.com, June 6, 1995.					
hu	C	Grand, Paul, "Free Beta Test of NetCount Webtracking & Rating System," www.deja.com, June 5, 1995.					
hu	C	Hayne, Cameron, "Don't link to Starting Point," www.deja.com, May 1, 1995.					
hu	C	"Research Firms Strive for Web Tracking That Counts," Interactive Marketing News, June 23, 1995.					
hu	C	Carlson, Steve, "If Music Retailers Sell on the 'Net So Can You," Budapest Business Journal, July 7, 1995.					
hu	C	Kaplan, Karen, "The Cutting Edge: Computing/Technology/Innovation;Listening Boom," Los Angeles Times, July 12, 1995.					
hu	C	"Progressive Networks Ships RealAudio system," Business Wire, July 25, 1995.					
hu	C	Plotnikoff, David, "Where to find Music Sites in Cyberspace," The Dayton Daily News, August 4, 1995.					
hu	C	"Virtual Office Launches WebWatch to Track Web Site Usage," Daily Spectrum: Morph's Outpost Interactive Media News, www.3dsite.com, August 17, 1995.					
hu	C	Evenson, Laura, "Online Pop Fans Can Cruise for Tour Dates, Album Reviews Gossip and Inside Info.," The San Francisco Chronicle, August 29, 1995.					
hu	C	"Dataquest Licenses Netscape Publishing System to Develop Market Research & Analysis Website," Daily Spectrum: Morph's Outpost Interactive Media News, www.3dsite.com, September 20, 1995.					
hu	C	Segev, Arie, "Designing Electronic Catalogs for Business Value: Results of the CommerceNet Pilot," The Fisher Center for Information Technology & Management, Haas Business School, University of California, Berkeley, CA, October, 1995.					
hu	C	"Microsoft Announces Availability of Cinemania 96 and Music Central 96," PR Newswire, October 23, 1995.					
hu	C	"Netscape Announces Add-On Product Suite for Popular Netscape Navigator Software," Netscape Press Release, home.netscape.com, October 25, 1995.					
hu	C	IT Networks and Music Marketing Network Press Release announcing the launch of the CD Sampler, July 25, 1994.					
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